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From: **S. Elizabeth Miller** Date: **July 21, 2004**

Direct Dial: 212.908.6359 Fax: 212.425.5288  
Altmiller Direct: 202.220.4210 / Fas 202.220.4201

Client/Matter: 12945/1  
Serial No.: 09/912,791  
Group No.: 2873

Total number of pages: **9**  
(including cover)

**OFFICIAL**

*Please deliver to:*

Name	Company	Fax	Phone
<b>Examiner Dang Hung-Xuan</b>	<b>U.S. Patent and Trademark Office</b>	<b>703-746-3354</b>	<b>703-308-6516</b>

Comments:

**PLEASE DELIVER TO EXAMINER HUNG-XUAN. GROUP NUMBER 2873**

Examiner Hung-Xuan –

Attached is a copy of the APPOINTMENT AND GENERAL POWER OF ATTORNEY as filed on December 29, 2003, and a copy of the stamped post card acknowledging receipt of these documents on December 31, 2003. Also, attached is a copy the REQUEST FOR WITHDRAWAL OF ATTORNEYS, which was filed with the USPTO on September 22, 2003, and a copy of a post card stamped by the USPTO acknowledging receipt on September 22, 2003.

If you need anything else do not hesitate to call.

–Elizabeth Miller

☒ Original will not follow ☐ Original will follow by ☐ Regular Mail ☐ Overnight Delivery ☐ Hand Delivery

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NY01 711308 v 1

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Case No. 12945/1  
Ser. No. 09/912,791

Atty. RFP  
Due Date 12/29/03

The Impressed Mail Room date stamp acknowledges receipt of the date indicated of:

- ☐ Application
- ☐ Amendment
- ☐ Assignment
- ☐ Notice of Appeal
- ☐ Prior Art Statement
- ☐ Appeal Brief

- ☐ Extension Request
- ☐ Priority Document
- ☐ Issue Fee
- ☐ Declaration
- ☐ Small Entity



Appt. and General P.O.A. Call-0600 Dep. Act.

P40286

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

## TRANSMITTAL

Docket Number:  
12945/1Application Number  
09/912,791Filing Date  
July 25, 2001Examiner  
Dang, Hung-XuanArt Unit  
2873Invention Title  
ASSEMBLING STRUCTURE FOR ASSEMBLING A  
FIT-ON SPECTACLE FRAME WITH AN  
ORIGINAL SPECTACLE FRAMEApplicant:  
WongAddress to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450I hereby certify that this correspondence is being deposited with the  
United States Postal Service with sufficient postage as first class mail in  
an envelope addressed to: Mail Stop Issue Fee, Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date:

Signature:

Robert F. Perry (Reg. No. 34,897)

Sir:

Please find enclosed the following document filed in connection with the above-referenced re-issue  
patent application:

Appointment and General Power of Attorney.

No fees are believed to be required. If a fee is determined to be required, please charge to the deposit  
account of Kenyon & Kenyon, Deposit account No. 11-0600.

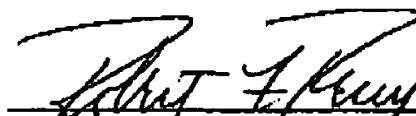
Should any question arise regarding the documents submitted herewith, the Commissioner may contact  
the undersigned at 212-425-7200.

Respectfully submitted,

KENYON &amp; KENYON

Dated:

12/24/03



Robert F. Perry (Reg. No. 34,897)

One Broadway

New York, N.Y. 10004

(212) 425-7200 (telephone)

(212) 425-5288 (facsimile)

**APPOINTMENT AND GENERAL POWER OF ATTORNEY**

The undersigned hereby warrants and states that he is an authorized principal, agent, officer, and/or signatory of:

CHEUK HO OPTICAL INTERNATIONAL LTD.; and/or

PIXEL OPTIC, L.L.C.

(collectively, the "Appointors").

Appointors, through the undersigned, hereby APPOINT, DESIGNATE, and AUTHORIZE:

Robert F. Perry, Esq. (Reg. No. 34,897) & Edward J. Handler, III (Reg. No. 25,507)  
Name(s)

KENYON & KENYON

Firm(s)

One Broadway, New York, New York 10004

Address(es)

Address(es)

(212) 425-7200

Telephone(s)

(212) 425-5288

Facsimile(s)

(the "Appointee(s)") as their agent(s), representative(s), and attorney(s) in fact in connection with any and all United States legal matters on behalf of Appointors and/or their affiliates, including but not limited to in connection with all United States Patent & Trademark Office proceedings on behalf of Appointors, all pending or future United States litigation involving Appointors, and any other legal or business representation of Appointor. More specifically, this includes the following U.S. Patent & Trademark application and pending litigations:

- ◆ *Aspex Eyewear, Inc. et al. v. Cheuk Ho Optical International, Ltd*, Civil Action No. 00-CV-2389 (RMB), pending in the U.S. District Court for the Southern District of New York.

- ♦ *Aspex Eyewear, Inc. et al. v. Cheuk Ho Optical International, Ltd.*, Civil Action No. 01-CV-1315 (RMB), pending in the U.S. District Court for the Southern District of New York.
- ♦ United States Re-issue Patent Application No. 09/912,791, entitled ASSEMBLING STRUCTURE FOR ASSEMBLING A FIT-ON SPECTACLE FRAME WITH AN ORIGINAL SPECTACLE FRAME, filed on July 25, 2001.

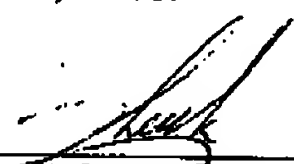
Appointors further hereby GRANT to Appointee(s) any and all power, right, and authority necessary to act in Appointors' behalf as attorney(s) in fact in connection with said representation(s).

Appointors further hereby REVOKE any and all previously granted written or oral appointments, designations, authorization, or powers of attorney to any other person to act on Appointors' behalf in connection with United States legal matters.

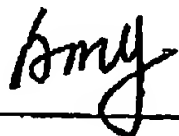
The undersigned is empowered and authorized, under Appointor's charter, under the laws of Hong Kong SAR, PRC, and under the laws of the United States, to sign this Appointment And General Power of Attorney on behalf of the Appointor.

Dated: 2003.12.4

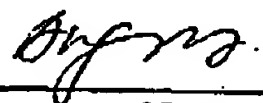
CHEUK HO OPTICAL INTERNATIONAL LTD.  
PIXEL OPTIC, L.L.C.

  
Name: WONG PING CHEUK  
Title: Managing Director

Witnesses:

  
Name

2003.12.4.  
Date

  
Name

2003.12.4.  
Date

BAKER BOTTS L.L.P.  
03 SEP 30 PM 1:57

TO


In Re: Wong	09/12,791
(Applicant)	(Serial No.)
In Re: Request for	34509
	(067735.0102)
(Title of Paper)	(Date)
	(File No.)

The stamp of the Patent Office Mail Room hereon acknowledges the receipt of the above-identified papers on the date indicated by such stamp.

\*Withdrawal As Attorneys with Form PTO/SB/83 attached.(in triplicate).

EXPRESS MAIL CERTIFICATE LABEL NO.: EU 591 376 659 US



34509 (067735.0102)  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wong

Serial No: 09/912,791

Group Art Unit: 2873

Filed: July 25, 2001

Examiner: Dang, Hung-Xuan

For: ASSEMBLING STRUCTURE FOR ASSEMBLING A FIT-ON SPECTACLE  
FRAME WITH AN ORIGINAL SPECTACLE FRAME

OFFICIAL

REQUEST FOR WITHDRAWAL AS ATTORNEYS

EXPRESS MAIL NO. EU 591 376 659 US

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria VA 22313-1450RECEIVED  
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JUL 21 2004

Sir:

We hereby request to withdraw as Attorneys of record for Applicant of the above-identified reissue application, pursuant to 37 C.F. R. §10.40(c)(1)(vi). Applicant has failed to pay bills rendered by the practitioners for an unreasonable period of time. Attorneys have notified Applicant of their intent to file this Request, and will provide Applicant with the file associated with this application.

It is understood that Attorneys will continue in the representation unless and until this request is granted.

NY02:456727.1

1

34509 (067735.0102)  
PATENT

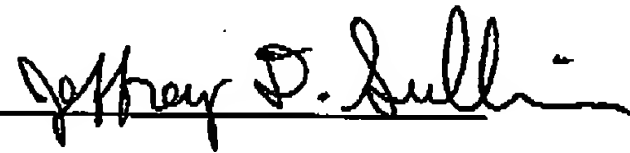
There are no pending due dates, Office Action responses, or other deadlines in this application, and thus there is no prejudice to Applicant as a result of Attorneys' withdrawal.

Respectfully submitted,

BAKER BOTTS L.L.P.

Dated

9/22/03



James J. Maune  
Registration No. 26,946  
Attorney for Applicant

Jeffrey D. Sullivan  
Registration No. 43,170  
Attorney for Applicant

30 Rockefeller Plaza, 44th Floor  
New York, New York 10112  
Telephone: (212) 408-2500  
Facsimile: (212) 705-5020



PTO/SB/83 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR WITHDRAWAL  
AS ATTORNEY OR AGENT**

Application Number	08/912,791
Filing Date	07/25/2001
First Named Inventor	Ping-cheuk Wong
Art Unit	2873
Examiner Name	DANG, HUNG XUAN
Attorney Docket Number	Re 34509 - 087735.0102

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby apply to withdraw as attorney or agent for the above identified patent application.

The reasons for this request are:

**CORRESPONDENCE ADDRESS**

1. ☐ The correspondence address is NOT affected by this withdrawal.  
2. ☒ Change the correspondence address and direct all future correspondence to:

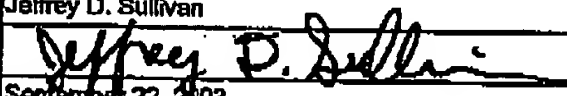
☐ Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Mr. Wong Ping-Cheuk Cheuk Ho Optical International Ltd.		
Address	Room 1201, 12/F Chevalier Commercial Centre		
Address	8 Wang Hoi Road		
City	Kowloon Bay	State	Zip
Country	Hong Kong CHINA		
Telephone	852 85227581268	Fax	852 85223318252

- ☒ This request is made on behalf of myself and
- ☒ all the attorneys/agents of record.
  - ☐ the attorneys/agents (with registration numbers) listed on the attached paper(s), or
  - ☐ the attorneys/agents associated with Customer Number

This request is enclosed in triplicate (including any attachments).

Name	Jeffrey D. Sullivan		
Signature		Registration No.	43,170
Date	September 22, 2003		

NOTE: Withdrawal is effective when approved rather than when received. Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.